

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>PINS MECHANICAL CO., LLC, et al.,</b>	<b>:</b>	
	<b>:</b>	<b>Case No. 2:20-cv-03845</b>
<b>Plaintiffs,</b>	<b>:</b>	
	<b>:</b>	<b>JUDGE ALGENON L. MARBLEY</b>
<b>v.</b>	<b>:</b>	
	<b>:</b>	<b>Magistrate Judge Vascura</b>
<b>CITY OF COLUMBUS, OHIO</b>	<b>:</b>	
	<b>:</b>	
	<b>:</b>	
<b>Defendants.</b>	<b>:</b>	

**ORDER**

This matter is before the Court on Plaintiffs' Motion to Amend Complaint and Remand Case to State Court. Docs. 9, 10. This case was previously removed from the Franklin County Court of Common Pleas. *See* Doc. 1. Plaintiffs' original Complaint raised several federal claims under 42 U.S.C. § 1983 that challenged a City of Columbus ordinance requiring bars, restaurants, and nightclubs to close at 10:00 p.m. for purposes of onsite consumption of food, beer, wine, and liquor. Plaintiffs' Amended Complaint removes all federal claims and instead proceeds only on the basis of Ohio law.

Federal Rule of Civil Procedure 15(a)(1)(B) provides that a party may amend its pleading once as a matter of course within "21 days after service of a responsive pleading." Fed. R. Civ. P. 15(a)(1)(B). Here, Defendants filed their Answer to Plaintiffs' original Complaint on August 12, 2020. *See* Doc. 8. Plaintiffs filed their Motion to Amend Complaint five days later. Hence, Plaintiffs are entitled to file an Amended Complaint. Given that no federal claims remain in this case, this Court is now without subject-matter jurisdiction. *See* 28 U.S.C. § 1447(c) ("If at any time before final judgment it appears that the district court lacks subject matter jurisdiction, the

case shall be remanded.”). Accordingly, the Court **GRANTS** Plaintiffs’ Motion [#9, 10] and **REMANDS** this case to the Franklin County Court of Common Pleas.

**IT IS SO ORDERED.**



---

ALGENON L. MARBLEY  
CHIEF UNITED STATES DISTRICT JUDGE

**DATED: August 19, 2020**